

DEPARTMENT OF THE ARMY
Omaha District, Corps of Engineers
215 North 17th Street
Omaha, Nebraska 68102-4978

DR 690-1-705

CEMRO-PO-E

Regulation
No. 690-1-705

1 October 1988

Civilian Personnel
HOLIDAYS AND HOLIDAY PAY

1. Purpose. This regulation implements and provides clarification of Department of the Army policy and regulations on the above subject.

2. Applicability. This regulation is applicable to employees of Omaha District and serviced organizations.

3. References.

- a. FPM Supplement 990-2, Book 610, Subchapter S2.
- b. FPM Supplement 990-2, Book 550, Subchapter S1-5.
- c. AR 690-990-2, Book 610, Subchapter S2.

4. Neutral Language Statement. In this regulation, the words "he," "him," and "his," when used, represent both the masculine and feminine genders unless otherwise specifically stated.

5. Policy. In accordance with applicable law and regulations, it is the policy of the Omaha District to observe national holidays by excusing employees without charge to leave or loss of pay, except for the work force necessary to maintain required operations. When it is necessary to order an employee to work on a holiday, holiday premium pay will be authorized and paid as explained in paragraph 7. The following days have been established as legal holidays in the Federal services:

New Year's Day, January 1.
Martin Luther King's Birthday, the third Monday in January.
Washington's Birthday, the third Monday in February.
Memorial Day, the last Monday in May.
Independence Day, July 4.
Labor Day, the first Monday in September.
Columbus Day, the second Monday in October.
Veterans Day, November 11.
Thanksgiving Day, the fourth Thursday in November.
Christmas Day, December 25.

Any other calendar day designated as a holiday by Federal Statute or Executive Order of the President.

6. Identification of Holidays - Regular Tours. This paragraph applies to full-time employees working a regular 40-hour per week tour of duty consisting of 8 hours each day, Monday through Friday.

a. Holidays Falling on Workdays. When a holiday falls on a workday, the holiday will be observed on that day.

b. Holidays Falling on Nonworkdays. When a holiday falls on Sunday, the holiday will be observed on the following workday (Monday). When a holiday falls on Saturday, the holiday will be observed on the immediately preceding workday (Friday). If overtime work is required on Saturday or Sunday in such instances, payment for the overtime hours will be made at overtime rates. Holiday premium will not be paid for work performed on a Saturday or Sunday holiday since the holiday is being observed on a different day.

7. Identification of Holidays - Irregular Tours. This paragraph applies to full-time employees who work 40 hours per week tours of duty on days other than Monday through Friday.

a. Holidays Falling on Workdays. When a holiday falls on a workday, the holiday will be observed on that day.

b. Holidays Falling on Nonworkdays. Applicable regulations indicate that an employee's first nonworkday of each administrative workweek is his "Sunday" regardless of whether or not that day is actually Sunday. Similarly, the employee's second nonworkday in each administrative workweek is his "Saturday," even though it may not actually be Saturday. When a holiday falls on a nonworkday, the employee's holiday will be designated using the same logic as explained in 6.b above. This will result in holidays being designated as follows:

(1) Whenever a holiday falls on an employee's first nonworkday in the administrative workweek, he will observe the holiday on the workday immediately following the holiday. Example: The employee's nonworkdays are Thursday and Friday. Thanksgiving Day falls on Thursday, the employee's first nonworkday. The first workday following the Thursday Thanksgiving holiday is Saturday, so the employee will observe the holiday on Saturday.

(2) Whenever a holiday falls on an employee's second nonworkday in the administrative workweek, he will observe the holiday on the workday immediately preceding the holiday. Example: The employee's nonworkdays are Wednesday and Thursday. Thanksgiving Day falls on Thursday, the employee's second nonworkday. The workday immediately preceding the Thursday Thanksgiving holiday is Tuesday, so the employee will observe the holiday on Tuesday. Refer to Holiday Determination Chart in Appendix A for assistance in determining "in-lieu-of" holidays.

c. Determining a Holiday When Shift Falls on 2 Days.

(1) When a full-time employee's basic workday (or shift) covers portions of two (2) calendar days, the entire daily tour will be regarded as falling on the day on which the shift starts for the purpose of determining holiday benefits. Only one shift, or tour, can be considered to be the holiday. When a workday begins on a holiday and extends into the next calendar day, the entire tour will be regarded as falling on the holiday. When such a workday begins on the day before and extends into a holiday, the entire tour will be regarded as falling on the day preceding the holiday. The fact that such a work shift extends over into a holiday does not, in itself, entitle the employee to holiday benefits for any portion of the tour.

(2) If, due to very unusual circumstances, a full-time employee has two daily tours of duty which start on the holiday, the first tour will be considered to be the holiday. The employee will be required to perform services or be in a leave status for the other tour.

8. Pay Entitlement.

a. Pay for Holidays on Which No Work is Performed. All employees, except those listed below, will receive pay at their basic rate of compensation for those days on which they are prevented (excused) from working because of the occurrence of a legal holiday (actual holiday or designated in-lieu-of holiday) falling within their regularly scheduled basic tour of duty. Employees are entitled to be paid for the number of hours scheduled for that day, i.e., 8 hours for a full-time employee, actual scheduled hours for a part-time employee. The exceptions are:

(1) Persons employed on an intermittent basis.

(2) Temporary wage employees (paid hourly) whose current appointments are limited to 90 days or less (unless they have been employed for a continuous period of 90 days under one or more appointments without a break in service).

(3) Consultants and experts.

b. Pay for Work on Holidays.

(1) Employees who are required to work on a holiday during those hours which they would normally have been excused with pay are entitled to receive holiday premium rates of pay for those hours of work performed, subject to the prohibition on payment during periods of training and incidental travel time, except as follows:

(a) Consultants and experts will be paid base rate.

(b) Persons employed on an intermittent basis will be paid base rate.

(c) Any Classification Act employee whose basic rate of compensation equals or exceeds the maximum scheduled rate for grade GS-15 will receive no additional payment.

(d) Employees receiving annual premium pay for standby or administratively uncontrollable overtime will receive no additional payment.

(2) For all hours worked under conditions entitling the employee to holiday premium pay, the rate of pay shall be base rate plus an additional amount equal to base rate for each hour worked except that employees subject to the Classification Act may receive holiday premium pay only in such amounts as will not cause gross salary per pay period to exceed the maximum scheduled rate for GS-15. (Note: When holiday pay is addressed in a negotiated agreement, payment will be made per agreement.) Compensatory time off may not be substituted for holiday pay, nor is it applicable to hours of work for which holiday pay cannot be paid due to the maximum aggregate biweekly pay being exceeded.

(3) Holiday premium rates may not be paid for work assigned and performed in excess of 8 hours on any holiday. Holiday premium rates are not authorized for hours outside the basic tour of duty for full-time employees or the regularly scheduled tour of duty for part-time employees. Accordingly, work on holidays which constitute overtime on either a daily or weekly basis will be treated as any other period of overtime, and compensation will be at the usual overtime rates. Whenever an employee who is otherwise eligible for holiday premium pay is required to perform any work during his basic tour of duty on a holiday, such work will be considered to be at least 2 hours in duration. Wage grade personnel quartered aboard floating plant will receive holiday premium rates only for the time actually worked. This exception is based on a determination by higher authority that conditions for true call-back time do not exist for such personnel.

(4) Part-time employees who are eligible for holiday pay will receive holiday premium rates for work performed during hours of duty regularly scheduled to be worked on the holiday. Where work is required in excess of the regularly scheduled tour, payment for the excess hours will be made at base rate. When a holiday is legally observed (reference paragraphs 6 and 7) on a part-time employee's nonworkday, he has no holiday entitlement. He is not entitled to a designated "in-lieu-of" holiday, as is the case for full-time employees. Tours of duty may not be adjusted for the purpose of granting holiday entitlement to part-time employees.

(5) Payment for night differential is in addition to any premium pay for work performed on a holiday. For Classification Act employees, the holiday rate is computed on the base rate exclusive of night differential and

DR 690-1-705
1 Oct 88


the regular night differential is added after such computation. For wage grade employees, the holiday premium rate is computed on the appropriate shift rate.

9. Denial of Holiday Pay. Unauthorized absence of an employee assigned to work on a holiday will result in the loss of pay for that day unless it is administratively determined that he had a valid and acceptable reason for his absence.

10. Reemployed Annuitants. Extra pay for work performed on a holiday by full-time reemployed annuitants will be compensated at the full salary rate, not at the normal reduced salary rate based on retirement annuity.

FOR THE COMMANDER:

APP A - Holiday
Determination Chart


CHARLES W. JONES
LTC, Corps of Engineers
Deputy Commander

DISTRIBUTION:

A
B
F
MRD

APPENDIX A

HOLIDAY DETERMINATION CHART

Nonworkdays are	Holiday Falls on	Employee Observes Holiday on	
Sunday Saturday	Sunday Saturday	Following Preceding	Monday Friday
Sunday Monday	Sunday Monday	Following Preceding	Tuesday Saturday
Monday Tuesday	Monday Tuesday	Following Preceding	Wednesday Sunday
Tuesday Wednesday	Tuesday Wednesday	Following Preceding	Thursday Monday
Wednesday Thursday	Wednesday Thursday	Following Preceding	Friday Tuesday
Thursday Friday	Thursday Friday	Following Preceding	Saturday Wednesday
Friday Saturday	Friday Saturday	Following Preceding	Sunday Thursday

NOTE: Use this chart for determining holidays for full-time employees only. When a tour of duty rotates or changes, causing two "sets" of nonworkdays to fall consecutively, i.e., Friday and Saturday, Sunday and Monday, each 2-day set remains associated with the workweek involved. The first 2 nonworkdays are days off for the first week and the last 2 nonworkdays are days off for the next week. Determine the appropriate "in-lieu-of" holiday using the same logic as is indicated in the chart. When the employee's holiday falls on the employee's day off in lieu of Sunday, move forward to the first available workday. When the holiday falls on the employee's day off in lieu of Saturday, move backward to the last available workday.